

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Tentative Notice of Action

MEETING DATE
March 4, 2005
LOCAL EFFECTIVE DATE
March 18, 2005
APPROX FINAL EFFECTIVE DATE
April 5, 2005

CONTACT/PHONE Marsha Lee 805-788-2008

APPLICANT

Dan Morefield

FILE NO.

DRC 2003-00092

SUBJECT

Request by Dan Morefield for a Minor Use Permit/Coastal Development Permit to demolish an existing 764 square foot residence and construct a new, two-story, single family dwelling of approximately 1976 square feet and a 588 square foot attached garage. The project will result in the disturbance of approximately 2760 square feet on a 2760 square foot parcel. The proposed project is within the Residential Multi Family land use category and is located at 369 McCarthy Avenue, approximately 500 feet east of Strand Avenue in the Oceano Beach area. The site is in the San Luis Bay Coastal planning area.

RECOMMENDED ACTION

Approve Minor Use Permit / Coastal Development Permit DRC 2003-00092 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION

A Class 3 Categorical Exemption pursuant to CEQA guidelines section 15303 was issued on August 31, 2004

LAND USE CATEGORY
Residential Multi Family

COMBINING DESIGNATION
Local Coastal Plan, Coastal
Appealable Zone,
Archaeologically Sensitive Area,
Small Scale Neighborhood, and
Airport Review Area, Flood

Hazard

ASSESSOR PARCEL NUMBER 061-012-025 SUPERVISOR DISTRICT(S)

PLANNING AREA STANDARDS:

Airport Review Area and building height

Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:

Coastal Appealable Zone, Local Coastal Plan, Archaeologically Sensitive Area, Small Scale Neighborhood

Does the project conform to the Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION

This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14 calender day local appeal period after the administrative hearing.

The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.



EXISTING USES: existing 764 square foot single family residence	
	ast: Res. Multi Family/ Single Family Residences /est: Res. Multi Family/ Single Family Residences
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Oceano/Halcyon Advisory Cou District, California Coastal Commission, Airport Manager, (
тородгарну: Relatively Flat	VEGETATION: Grasses, ice plant
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano Fire Department	ACCEPTANCE DATE: August 31, 2004

DISCUSSION

PLANNING AREA STANDARDS:

<u>Airport Review Area:</u> This project site is within the Airport Review Area and is subject to the standards set forth in the San Luis Bay Planning Area Combining Designations section. Allowable uses are limited to those designated as "compatible" or "conditionally approvable" by the adopted Oceano County Airport Land Use Plan. A recorded avigation easement is required prior to issuance of a building permit. *The project complies with these standards as conditioned.*

<u>Height:</u> Structures in the Oceano Multi-Family Residential area are not to exceed 25 feet. *The project complies with this standard.*

LAND USE ORDINANCE STANDARDS:

<u>Section 23.07.120:</u> The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

<u>Section 23.01.043 Appeals to the Coastal Commission (Coastal Appealable Zone)</u>: The project is appealable to the Coastal Commission.

<u>Section 23.04.100 Setbacks</u>: All the setback requirements are included in this section of the Coastal Zone Land Use Ordinance. The required front setback is a minimum of twenty-five feet. The required side setback is ten percent of the lot width to a maximum of five feet on sites less than one acre in net area. The required rear setback is ten feet on sites of less than one acre in net area. *The project complies with these standards.*

<u>Section 23.05.106 Curbs, Gutters and Sidewalks</u>: Curbs, Gutters and Sidewalks are required with any project in the Residential Multi-Family category. *The project complies with this standard.*

Geology - Liquifaction susceptibility

Recent studies by the U.S. Geological Survey (USGS) have confirmed liquefiable soils in the project area. A Geotechnical Engineering Report for the proposed single family residence at 369 McCarthy



Avenue, Oceano was prepared by Buena Geotechnical Services, dated June 23, 2004. The report concluded that the site is suitable for the proposed development from a geotechnical engineering standpoint provided the recommendations contained herein are properly implemented into the project. The project is conditioned to implement the recommendations and conclusions of the report Addendum dated October 25, 2004, Buena Geotechnical Services, requiring structural mat foundation and overexcavation below the bottom of the footings.

COASTAL PLAN POLICIES: COASTAL PLAN POLICIES: The project is consistent with the Coastal Plan Policies. The most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The applicant needs to demonstrate that adequate public service capacities are available to serve the proposed project by submitting a water and sewer will-serve letter. A letter dated August 28, 2003 from the Oceano Community Services District (OCSD) states that they are able to serve the project under conditions stated by OCSD.

Shoreline Access:

Policy 2: New Development shall provide access to the beach. The proposed project is consistent with this policy because although it is near the beach, the proposed residence is not between the first public road and the shoreline and new access ways are not needed because adequate access already exists.

Visual and Scenic Resources:

- Policy 1: Site Selection for new development: The proposed project is consistent with this policy because the development is sited so as to protect views to and along the ocean.
- Policy 5: Land-form Alteration: The proposed project is consistent with this policy because grading, earthmoving, major vegetation removal and other land-form alterations within public view corridors will be minimized.
- Policy 6: Special Communities and Small-Scale Neighborhoods. The proposed project is located within the Oceano Small Scale Neighborhood area and is subject to the policies for visual and scenic resources. New development in this area is to be designed and sited to complement and be visually compatible with existing characteristics of the community. The proposed single family residence is consistent with this policy.
- Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because no trees are proposed for removal.

Archaeology:

Policy 1 & 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas. Policy 1 focuses on the protection of archaeological resources, and that the county shall protect both known and potential archaeological resources. Policy 4 requires a preliminary site survey conducted by a qualified archaeologist that is knowledgeable in Chumash culture. The project is located within an archaeologically sensitive area and is consistent with these policies because a preliminary site survey was conducted by a qualified archaeologist and no resources were found on the subject property (Parker & Associates, April 24, 2004).

COMMUNITY ADVISORY GROUP COMMENTS:

None received as of 8/30/04

AGENCY REVIEW:

Public Works - Need Curb Gutter and Sidewalk.

Oceano Community Services District & Fire- Recommend approval upon completion of conditions of will serve letter.

California Coastal Commission - None received as of 8/30/04 Airport Manager - None as of 8/30/04

Staff report prepared by Marsha Lee and reviewed by Matt Janssen

1-5

Hearing Officer
Morefield Minor Use Permit/Coastal Development Permit # DRC 2003-00092
Page 5

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a (Class 3) Categorical Exemption ED 04-109 pursuant to CEQA Guidelines Sections 15303 because there is only one structure to be demolished and only one single family dwelling to be constructed.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The applicant has demonstrated that adequate public service capacities are available to serve the proposed project by submitting water and sewer will-serve letters.

Coastal Access

G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project will not inhibit access to the coastal waters and recreation areas. There is established coastal access that exists near the site, and this site is not adjacent to the beach.

Archeological Sensitive Area

H. The site design and development incorporate adequate measures to enure that archeological resources will be acceptably and adequately protected because no resources were found during the preliminary site survey and the project has be conditioned in the event resources are unearthed during construction.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

- This approval authorizes:
 - a. Demolish an existing 764 square foot residence.
 - b. Construct a new, two-story, single family dwelling of approximately 1976 square feet and a 588 square foot attached garage.
 - c. Maximum height 25' from finished grade (3.3 feet of fill will be imported to raise the finished floor elevation one foot above the 100 year flood elevation of 10.0 feet)
 - d. No porches, decks, or structures above 30" in height extending into the front setback.
- 2. **Prior to occupancy**, the applicant shall install concrete curb, gutters and sidewalks as approved by the County Public Works department.

Airport Review

- 3. The project shall be in full compliance with Federal Aviation Regulation part 77, "Objects Effecting Navigable Airspace."
- Maximum interior noise levels in the structure shall be limited to 45 dBA or less.
- 5. **Prior to issuance of building permit**, the applicant shall receive an Avigation Easement from the County of San Luis Obispo via an avigation easement document prepared by the County. The avigation easement document shall be reviewed and approved by County Counsel.
- 6. Non-reflective materials shall be used for buildings and signs.
- 7. No light emissions that would interfere with aircraft operations shall be used during construction or as part of the project.
- 8. No electronic transmissions that would interfere with aircraft operations shall be used during construction or as part of the project.
- 9. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the presence and operations of the Oceano Airport and any noise, safety, or over-flight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent or otherwise occupy the structure.

Archaeology

- 10. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Grading, Drainage, Sedimentation and Erosion Control

- 11. **Prior to issuance of construction permits**, if grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
- 12. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

- Prior to issuance of a construction permit, the applicant shall provide the County
 Department of Planning and Building with a fire safety plan approved by the Oceano
 Community Services District (OCSD). The fire safety plan shall include, but not be limited to all requirements as specified by OCSD.
- 14. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from OCSD of all required fire/life safety measures.

Services

15. **Prior to issuance of construction permit**, the applicant shall provide a letter from Oceano Community Services District stating they are willing and able to service the property.

Building Height

- 16. The maximum height of the project is 25 feet from average natural grade.
 - A. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection,** the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

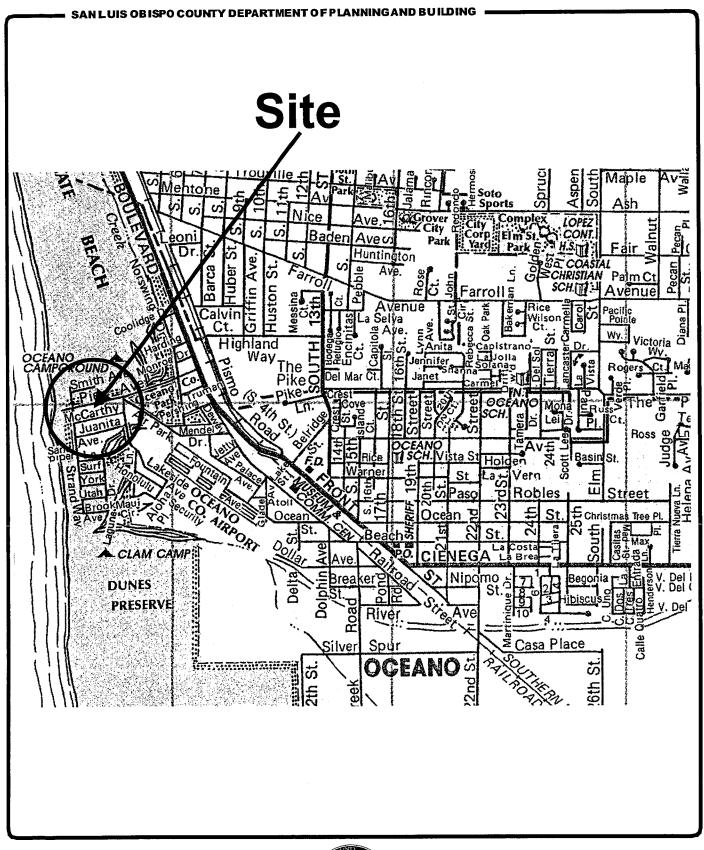
Geology

- 17. **Prior to issuance of building permit**, the plans shall incorporate the recommendations in the Addendum to Geotechnical Engineering Report, by Buena Geotechnical, dated October 25, 2004. These recommendations include, but are not limited to a structural mat foundation and overexcavation below the bottom of the footings.
- 18. **Prior to issuance of construction permits,** the project CEG/RGE shall provide the building designer and County Geologist with the UBC Near-Source Seismic Coefficient for ground acceleration.

- 19. **During construction**, the project CEG/RGE shall observe the foundation excavation to ensure that the required embedment is obtained; the foundation locations, depths, and lithologies shall be recorded on an as-built geologic map; and two copies of the map shall be provided to the San Luis Obispo County Geologist for the department's records.
- 20. **Prior to issuance of construction permits,** the project CEG/RGE shall evaluate if naturally occurring asbestos is present at the site. If naturally occurring asbestos is found at the site, an Asbestos Health and Safety Program and an Asbestos Dust Mitigation Plan is required to be approved by the CARB before grading or construction begins, or use the standard APCD recommendation for mitigation.

Miscellaneous

- 21. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
- 22. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
- 23. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').



PROJECT

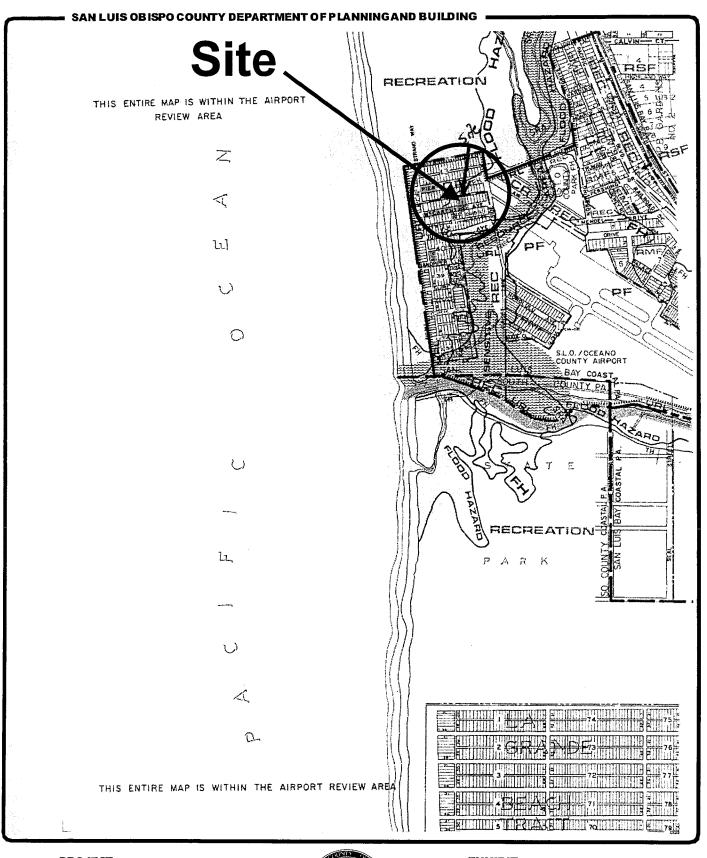
Minor Use Permit Morefield/ DRC2003-00092



EXHIBIT

Vicinity Map

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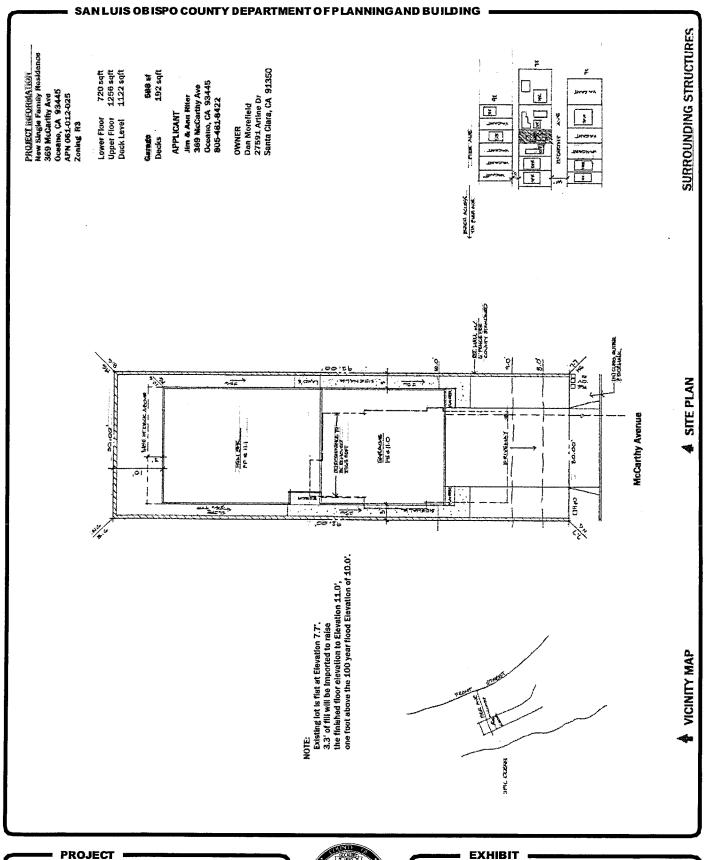
PROJECT

Minor Use Permit Morefield/ DRC2003-00092



EXHIBIT -

Land Use Category Map



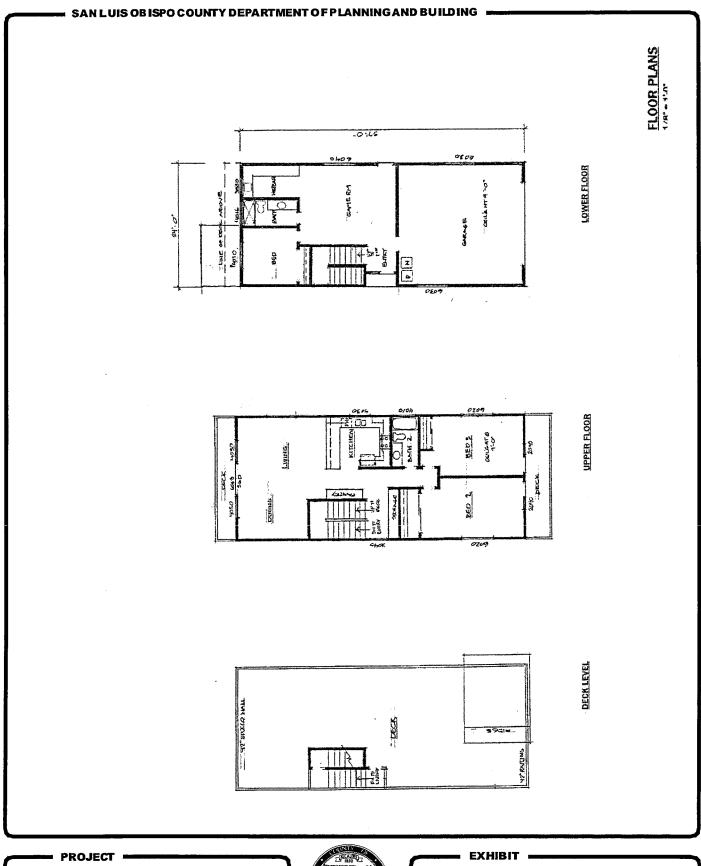
Minor Use Permit

Morefield/ DRC2003-00092



EXHIBIT

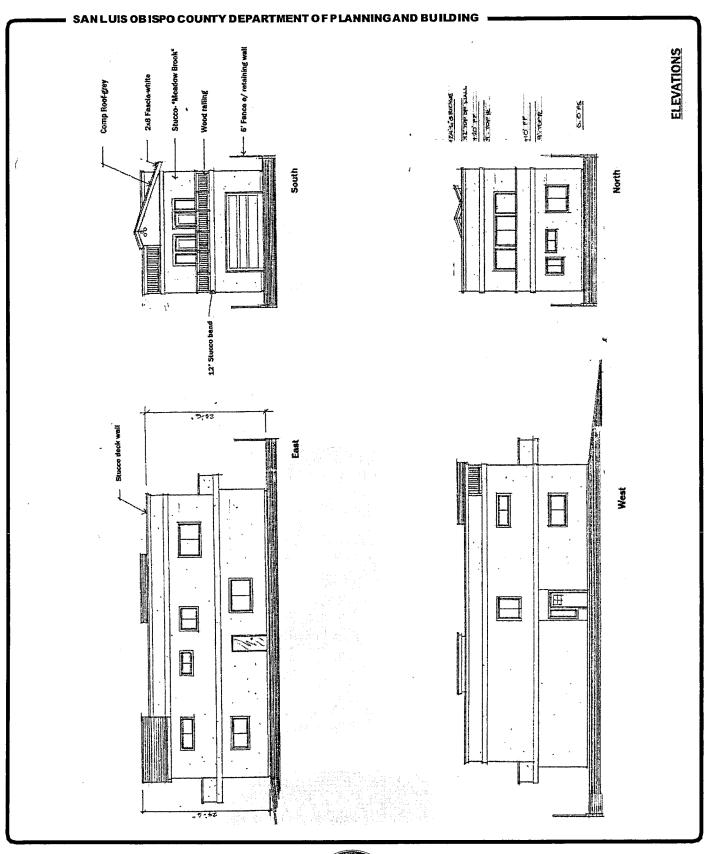
Site Plan



Minor Use Permit Morefield/ DRC2003-00092



Floor Plans



Minor Use Permit
Morefield/ DRC2003-00092



EXHIBIT

Elevations



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EMAIL: planning@co.slo.ca.us

SAIN LUIS OBISPO COUNTY MENT OF PLANNING AND BUILDING

Revised 4/4/03

WEBSITE: http://www.slocoplanbldg.com

DEPARTMENT OF PLANNING AND BUILDING SLO CO PLANNING & BLDG.

VICTOR HOLANDA, AICP DIRECTOR

DATE: TO: FROM:	THIS IS A NEW PROJECT REFERRAL. 4/13/04 Ocoano CSO & Five Coastal Team (Please direct response to the above) Project Name and Number	+-7 ;
	Development Review Section (Phone: 781-788-2009 Taryn (781-5600)	ے
PROJECT DI	ESCRIPTION: Demo. existing SFR, build new SFR	•
Return this lett	er with your comments attached no later than:	_
PART I	IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?	
	YES (Please go on to Part II) NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)	1
PART II	ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?	
	X NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)	
PART III	INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions approval you recommend to be incorporated into the project's approval, or state reasons recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.	∍ of for
We recom	mend approval upon satisfactory completion of all requirements	
as state	d in the OCSD Will-Serve letter.	
4-22-	Name Philip T. Davis Phone	
Date	Name Phone	

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

FAX: (805) 781-1242



SAIN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

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COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Fax No. :

Oct. 28 2004 04:47PM P1



BUENA GEOTECHNICAL SERVICES, the

P.O. BOX 2857 ATASCADERO CA 93423

October 25, 2004

B-U13874

Bud Kelly P.O. Box 178 Arroyo Grande, CA 93421

Project:

369 McCarthy Avenue

San Luis Obispo County, California

Subject:

Addendum to Geotechnical Engineering Report

Reference: Geotechnical Engineering Report dated June 23, 2004

As requested, an additional boring was crilled on October 13, 2004 at the subject site. The purpose of the additional boring was to determine (N1)so blow counts, the potential for liquefaction, potential settlement due to the presence of liquefiable soils and recommendations for a foundation to withstand possible settlement due to liquefaction. The new boring, analysis and recommendations are in response to guidelines for such studies adopted by The County of San Luis Obispo subsequent to the December, 1993 San Simeon earthquake.

A single 8 inch diameter hollow stem boring was drilled to a depth of 50 feet below existing grade. Groundwater was encountered at a depth of 4.5 feet below the existing ground surface. Standard panetration testing was obtained at intervals of 10 feet in depth to a total depth of 50 feet. The sampling was performed in accordance with Test designation ASTM D 1586-92. The S.P.T. blow counts were converted to N60 blow counts and then converted to (N1)60 blow counts adjusting for the effective overburden pressure (CN) at the sampled depths.

DEPTH	SPT	N60	CN	(N1)60
10'	7	б	1,34	_8
20′	9	9	.975	9
30′	27	30	.79	24
40'	28	32	.57	21
50′	24	28	.58	16

FAK NO.

HM

Oct. 28 2004 04:48511 P2

October 25, 2004

B-043874

Based on further analysis at the project site, the upper 25 feet of soils were found to be moderately to highly liquefiable with potential settlement of 2.5 to 3 inches. The zone below 25 feet revealed interbedded layers with moderate liquefaction potential and potential settlement of 1.5 to 2 inches.

Because of the moderate to high potential for liquefaction at the project site, we recommend that a structural mat foundation be constructed to support the structure. A rigid mat foundation will effectively distribute eccentric loads, reduce the potential for differential settlement, resist lateral movement and resist upward forces from a high groundwater presence (Day, 1999).

The soll in the building area should be overexcavated to a depth of a foot below bottom of footing elevation. The overexcavation should extend to a distance of 5 feet beyond the building perimeter. The resulting surface should be scarified, moisture conditioned and recompacted to a minimum of 90% of maximum dry density. The previously removed material should then be replaced in thin lifts, moisture conditioned and compacted to a minimum of 90% of maximum dry density.

Construction of the rigid mat foundation should be designed by the Project Structural Engineer or Architect to withstand up to 4 to 5 inches of settlement and a cantilever of 6 feet. The foundation should be designed using a modulus of subgrade reaction of Kv=30. Additionally, we recommend that an allowable bearing value of 1200 psf be used in the foundation design for the cantilever condition (bridging value).

This firm should be notified to provide testing and inspection services during grading operations and the foundation construction phase of the project to verify the intent of these recommendations.

FAX No. :

805 481 246

Oct. 25 2004 04:49591 87

October 25, 2004

E-043874

If there are any further questions, please do not hesitate to contact this office.

Respectfully submitted, Buena Geotechnical Services

Douglas Hallin Project Manager PROFESSION OF CAUFORNIA

Norman G. Hallin Geotechnical Engineer

Attachment: Boring Log

Site Location: 369 McCarthy Ava.

FAM. NO. :

Cot. 29 2004 04:49PM P4

805 481 2468

LOG OF BORING

Far: Kelly

Job No. B-043874

Driller/Helper: Rig Type:

BORING NO. 3

Auger Diameter.

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			 		Brown silty yery fine to fine sand Groundwater @ 4.5'		
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					Gray silty very fine to fine sand	SMISP	A2
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GROUNDWATER

Depth 4.5 A.M.

SAMPLE TYPE

U=Undisturbed ring sample S=Standard penetration tube T=Shelby tube

[]3" [] Other: